

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /032 W

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R 302125Z SEP 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 3634

INFO AMEMBASSY BRUSSELS

AMEMBASSY LONDON

AMEMBASSY BERN

AMEMBASSY DUBLIN

AMEMBASSY BONN

AMEMBASSY THE HAGUE

AMEMBASSY VIENNA

AMEMBASSY OTTAWA

AMEMBASSY OSLO

AMEMBASSY STOCKHOLM

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AMEMBASSY MADRID

AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: EAIR, XT, US

SUBJECT: CIVAIR: MEETING WITH ECAC

REF: STATE 231007

1.SUMMARY-ECAC SECRETARIAT CLAIMS ECAC'S OWN INTERNAL
SCHEDULING PROBLEMS EXPLAIN RIGIDITY RE SETTING DATE
FOR MULTILATERAL TALKS. SMALLER STATES IN PARTICULAR
LOOK TO ECAC FOR GUIDANCE PRIOR BILATERAL TALKS WITH
US. ECAC HAS ALSO JUST COMPLETED TEXT OF DRAFT MULTI-
LATERAL CHARTER AGREEMENT. WE OFFER SOME COMMENT. END
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SUMMARY.

2. MESSAGE CONTAINED PARA 1 REFTEL AS WELL AS PARA 2 REFTEL REMARKS CONVEYED TO DOZ OF ECAC SECRETARIAT SEPT. 29. PER PARA 3 REFTEL ESPEROU OF SGAC WAS ALSO INFORMED ALONG ABOVE LINES.

3. DOZ' IMMEDIATE REACTION WAS THAT US COUNTER-SUGGESTION WOULD STILL POSE PROBLEMS FOR ECAC. QUITE APART FROM DIFFICULTIES INHERENT IN COORDINATING PLANS FOR MEETINGS INVOLVING CIVAIR OFFICIALS FROM NEARLY TWENTY ECAC MEMBER STATES, ECAC WAS LOCKED INTO ITS OWN INTERNAL TIMETABLE THAT PERMITTED LITTLE LEEWAY. DOZ EXPLAINED THAT SINCE ECAC'S CHARCO (CHARTER CONCEPTS) WORKING GROUP HAD LEARNED OF US BILATERAL INTENTIONS TOO LATE TO BEGIN FORMULATING AT RECENT ROME MEETING A COMMON ECAC POSITION ON OPERATING ENVIRONMENT FOR NORTH ATLANTIC CHARTERS, ANOTHER MEETING OF CHARCO WAS SCHEDULED FOR THAT PURPOSE FOR OCT. 9-10 IMMEDIATELY FOLLOWING DGCA MEETING OCT. 7-8. THEREAFTER CHARCO RECOMMENDATIONS WOULD BE CIRCULATED TO MEMBER STATES FOR STUDY AND COMMENT AND WOULD BE ADOPTED BY DGCA'S AT SPECIAL MEETING CALLED FOR OCT. 21 JUST PRIOR MULTILATERAL TALKS ECAC PROPOSED FOR OCT. 22-23. WHEN WE QUESTIONED WHETHER SO MUCH TIME WAS NEEDED TO FORMULATE COMMON POSITION SINCE CIVAIR OFFICIALS IN ECAC MEMBER STATES WERE CERTAINLY ALREADY FAMILIAR WITH CAB'S NEW OTC RULE, FOR EXAMPLE, DOZ SAID SMALLER MEMBER STATES IN PARTICULAR HAD INSISTED ON NEED REFLECT ON CHARCO RECOMMENDATIONS BECAUSE THESE STATES WERE RELYING ON ECAC EXPERTISE FOR GUIDANCE ON WHAT THEIR POSTURE SHOULD BE IN SUBSEQUENT BILATERAL TALKS WITH US AND THEY WERE VERY NERVOUS ABOUT TALKING WITH US BEFORE ISSUES AT STAKE HAD BEEN FULLY VENTED WITHIN ECAC. (ASKING THAT WE PROTECT HIM AS SOURCE, DOZ SAID IRELAND WAS A VERY GOOD EXAMPLE.) THERE WAS ALSO A MATTER OF NATIONAL PRIDE INVOLVED, HE SAID, WITH RESULT THAT SMALLER MEMBER STATES WERE OFTEN RELUCTANT TO APPEAR TO BE FOLLOWING IN FOOTSTEPS OF ONE OF THE LARGER MEMBER STATES BUT HAD NO QUALMS IF THIS WAS AN "ECAC" POSITION. IT WAS THE SMALLER STATES IN PARTICULAR WHICH WERE INSISTING THAT ECAC NEEDED TIME UNTIL OCT. 22 TO PREPARE FOR MULTILATERAL TALKS WITH LIMITED OFFICIAL USE

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US. DOZ ADDED THAT ACTUALLY HE HAD EARLIER SUGGESTED HOLDING MULTILATERAL TALKS OCT. 9-10 TO ACCOMMODATE US, BUT SMALLER STATES WITHIN ECAC HAD BEEN INSTRUMENTAL IN DEFEATING THE SUGGESTION.

4. WE MET AGAIN WITH DOZ SEPT. 30 TO EXPLORE FURTHER WHETHER SOME ACCOMMODATION MIGHT BE POSSIBLE. HAVING MET PREVIOUS DAY WITH DR. MENGES OF CAB, WE INFORMED DOZ THAT MENGES AND CAB MEMBER O'MELIA WOULD

LIKELY BE ON US DEL IF TALKS COULD BE SCHEDULED BETWEEN
OCT. 9 AND L5, BUT THEY WOULD PROBABLY NOT BE
AVAILABLE LATER IN MONTH. IT WOULD BE MUCH TO ECAC'S
INTEREST BE ABLE MEET WITH SUCH SENIOR CAB OFFICIALS.
WE ASSURED DOZ THAT OVERRIDING US CONCERN WAS TO BE
ABLE FOLLOW THROUGH WITH CALENDAR FOR BILATERAL TALKS
IN ORDER AVOID SERIOUS RESCHEDULING PROBLEMS.
5. DOZ SAID ECAC FAILED UNDERSTAND WHY POSTPONEMENT OF
US BILATERAL TALKS BY ONLY ONE WEEK TO PERMIT MULTI-
LATERAL TALKS WITH ECAC OCT. 22-23 PRESENTED SUCH

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INSURMOUNTABLE PROBLEM. HE FOUND ARGUMENT THAT EARLY BILATERAL TALKS WERE NECESSARY FOR CHARTER MARKETING REASONS WAS NOT VERY CONVINCING SINCE SECOND ROUND OF BILATERAL TALKS WAS SCHEDULED ONLY FOR MID-NOVEMBER. HAD ECAC RECEIVED MORE ADVANCE NOTICE OF US INTENTIONS, ECAC COULD PERHAPS HAVE ADJUSTED INTERNAL SCHEDULE FOR ITS OWN MEETINGS TO ACCOMODATE OUR WISHES RE TIMING OF MULTILATERAL TALKS, BUT NOW THIS WOULD BE VERY DIFFICULT.

6. WHEN WE POINTED OUT THAT EXISTENCE OF MOU'S WAS LIMITED OFFICIAL USE

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PUBLIC KNOWLEDGE AND NEED FOR RENEWAL SHOULD HAVE COME AS NO SURPRISE TO ECAC, DOZ SAID ECAC HAD BEEN SURPRISED US WAS NOW PROPOSING DISCUSS BILATERALLY FUNDAMENTAL MATTERS OF CHARTER REGULATION BILATERALLY RATHER THAN FIRST WITH ECAC, SINCE US KNEW THESE WERE MATTERS OF PRESSING CONCERN TO ECAC YET THERE HAD BEEN NO SUCH DIALOGUE WITH ECAC IN WELL OVER A YEAR. ACCEPTABILITY OF OTC'S, FOR EXAMPLE, ESPECIALLY IN ABSENCE ANY FIXED MINIMUM PRICE (AND VIEWED AGAINST WHAT ECAC CONSIDERED EXTREMELY LOW CHARTER RATE FILINGS BASED ON DATA RECENTLY SUPPLIED ECAC BY CAB), WAS OF CONCERN TO ECAC AS A WHOLE. AND SO WAS THE QUESTION OF US INTENTIONS RE CONTINUATION OF AFFINITY CHARTERS. THESE WERE QUESTIONS WHICH MANY ECAC MEMBER STATES, AND PARTICULARLY THE SMALLER ONES, WANTED CLARIFIED BEFORE THEY EMBARKED ON BILATERAL TALKS WITH US. DOZ ADDED IT WAS INEVITABLE THAT CERTAIN ECAC MEMBERS SPECULATE THAT US TACTIC WAS TO ENDEAVOR THROUGH BILATERAL NEGOTIATIONS TO GET ONE OR MORE ECAC MEMBERS TO ACCEPT OTC RULE, FOR EXAMPLE, WHICH WOULD BREACH ECAC FRONT AND TEMPT OTHERS TO FOLLOW SUIT. ALSO REASON FOR CONCERN WERE PRESS REPORTS OF LESSENERED US INTEREST IN A MULTILATERAL CHARTER AGREEMENT TO WHICH ECAC REMAINED VERY MUCH COMMITTED. IN FACT, DOZ SAID, MAIN PURPOSE OF RECENT CHARCO MEETING IN ROME HAD BEEN PRECISELY TO PUT FINISHING TOUCHES ON TEXT OF DRAFT MULTILATERAL AGREEMENT, WHICH WILL BE SUBMITTED TO DGCA'S FOR APPROVAL AT THEIR OCT. 7-8 MEETING. WHEN WE ASKED WHAT WOULD HAPPEN IF NO AGREEMENT COULD BE REACHED ON SCHEDULING OF MULTILATERAL MEETING, DOZ DOUBTED THAT ECAC MEMBER STATES CONCERNED WOULD GO THROUGH WITH BILATERAL TALKS AND HE THOUGHT THAT SOME MIGHT BE INCLINED IN THESE CIRCUMSTANCES SIMPLY TO LET MOU'S LAPSE, THOUGH HE ADMITTED THIS WOULD POSE AS MANY PROBLEMS FOR EUROPEAN CARRIERS AS FOR US CARRIERS.

7. COMMENT: FOREGOING CLARIFICATION OF SOME OF THE RATIONALE BEHIND ECAC ATTITUDE SUGGESTS THAT MULTILATERAL DISCUSSION, IF IT TAKES PLACE, WILL CERTAINLY NOT BE APPROACHED ON ECAC SIDE AS A SIMPLE QUESTION AND ANSWER SESSION. ECAC'S AMOUR-PROPRE IS AT STAKE' LIMITED OFFICIAL USE

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AS IS ITS COMMITMENT TO PURSUIT OF A MULTILATERAL CHARTER AGREEMENT OF WHICH A MULTILATERAL APPROACH IN THE MEANTIME TO DISCUSSION OF CHARTER POLICY IS ONE FACET. YET HOWEVER IRRITATING THE CURRENT ECAC POSTURE MAY BE TO US, ECAC DOES EXIST AND IT IS DEMONSTRATING THAT IT IS A FORCE WITH WHICH WE MUST RECKON, WHETHER FOR GOOD OR FOR BAD. THE MULTILATERAL DISCUSSION WHICH ECAC HAS PROPOSED COULD SIGNIFICANTLY INFLUENCE THE NORTH ATLANTIC CHARTER ENVIRONMENT FOR SOME TIME TO COME. WHILE THERE IS THE RISK THAT SUCH DISCUSSION COULD GENERATE NEW PROBLEMS COMPLICATING OUR SUBSEQUENT BILATERAL TALKS, THE CONVERSE IS ALSO TRUE, NAMELY, ADVANCE DISCUSSION WITH ECAC, INCLUDING THE OPPORTUNITY THUS AFFORDED FOR INFORMAL BILATERAL TALKING IN THE CORRIDORS, COULD PAVE THE WAY FOR AND SIMPLIFY THE LATER BILATERAL TALKS IN THE VARIOUS CAPITALS.
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